IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.266 OF 2005

Smeeta Prakash Naik. .. .. Petitioner
v/s.
The Director of Education & ors. .. Respondents

Mr.H.V.Kode i/by Mr.S.A.Sawant for petitioner.

Mr.A. Sayed, AGP for res.Nos.1, 4 & 5.

CORAM : H.L. GOKHALE &
S.C.DHARMADHKARI, JJ.

DATED : 1ST FEBRUARY 2005

P.C. :

1. Heard Mr.Kode in support of this petition. Mr.Sayed, AGP appears for respondent Nos.1, 4 and 5.

2. The petitioner has taken an admission to the 2nd year degree in Computerlogy (CMPN) course in the 2nd respondent-college. The petitioner has taken this admission on a reserved seat. The petitioner was expected to get the caste validity certificate determined from the Authority concerned within a certain period. Now, the certificate is obtained. It is issued on 3rd September 2004. In spite of that, the 2nd

respondent-college has sent a communication dated 3rd December 2004 to the 1st respondent-Director of Education stating that since the certificate is not submitted within 12 weeks, the petitioner's admission has been cancelled.

3. In our view, since the certificate has been obtained, there is no reason to cancel the admission. We set aside the communication dated 3rd December 2004 of the 2nd respondent-college. The respondents will regularise the petitioner's admission and allow her to continue her education and declare her results.

4. Petition is disposed of in the above terms.

(H.L. GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)